

REMARKS

As stated above, the purpose of this Amendment is to distinguish the claims in this application from those in copending application 10/746,932. Support for the limitation in claim 1 that n^3 is 1-4 – *i.e.*, R^3 must be present – is supported, for example, with regard to compounds P40-P46. Support for the proviso that the compound of formula (1) be present in the form of an isolated stereoisomer is found on page 10 of the specification in paragraph [0030]. Support for the requirement that the compound of formula (1), in the alternative, be P49 or P50 is self-evident from Figure 1.

No new matter has been added and entry of the amendment is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 381092000623.

Respectfully submitted,

Dated: January 28, 2005

By: Kate H. Murashige
Kate H. Murashige
Registration No. 29,959

Morrison & Foerster LLP
3811 Valley Centre Drive,
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125